

Application Serial No. 09/990,804
Amendment dated September 29, 2004
Reply to Office Action dated July 1, 2004

REMARKS

Claim 11 has been cancelled thereby obviating the objections noted by the Examiner.

New Claims 23-34 are submitted herewith.

Claim 23 is a product by process claim that includes all of the limitations of allowed Claim 21. Accordingly, it is submitted that this claim is also in condition for allowance.

Claim 24 is the same as allowed Claim 21 except that the limitation "and wherein the space above the melt has a temperature in the range of 500°C to 700°C" has been deleted. It is submitted that this claim is not obvious over U.S. 3,988,138 under 35 U.S.C. §103. The '138 patent does not disclose that a closed mixture cover on the melt surface is created because the melt is so heavily agitated that there cannot be such a closed mixture cover. Reference is made to Fig. 4 and the description at column 4, line 64 through column 5, line 7 wherein it is disclosed that the upper surface of the glass defines a vortex. According to the present invention, melting can be achieved without any of the disadvantages normally associated with heavy stirring because the stirring occurs only under the mixture cover thereby maintaining the claimed closed mixture cover.

Claim 34 is similar to Claim 23 except that the last limitation of Claim 23 is not present. It is submitted that Claim 34 is allowable for the same reasons as Claim 24.

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It is believed that the application is now in condition for allowance and such action is solicited. However, if further issues remain, it is requested that the Examiner telephone the undersigned at 260-460-1692.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: September 29, 2004.

JOHN F. HOFFMAN, REG. NO. 26,280

Name of Registered Representative

Signature

September 29, 2004

Date